

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, November 12, 2008 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Howard Shook, Chair Lee Hannah, Acting CFO
 Councilmember Clair Muller Departmental Staff
 Councilmember Jim Maddox
 Councilmember Kwanza Hall

Absent: Councilmember Felicia A. Moore
 Councilmember Cleta Winslow

Chairperson Shook called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Clair Muller, Jim Maddox and Kwanza Hall. Other Departmental staff was present as well.

The Agenda was adopted as printed with one new Ordinance. Minutes of the October 29, 2008 Finance/Executive Committee and June 18th, 2008 Budget Hearings were adopted as well.

DISCUSSION ITEMS

CLOSING OUT FY 2008

CFO Glass stated that we will have legislation coming forth at the next meeting and the Audit will be completed in mid December. We want it cleared through Council to write our CAFR correctly. Chairperson Shook stated that he thinks we are meeting the external audit deadline. CFO Glass responded that we are pushing to have the Capital Budget at the next meeting. We don't have anything on paper yet. Chairperson Shook stated that we will be meeting on Monday November 24th instead of Wednesday.

DEBT AND INVESTMENT

Ms. Dana Boone: Chief of Debt and Investment addressed the Committee by passing out information regarding short term rates versus long term rates. A month ago the 30 year treasury was at 4.12% and it is now at 4.27%. Sigma (a short term index) was at 4.82% and it is now at 1.26%. There is still mortality in the market and it is returning to normal. We are watching to see what is going on. Page #3 bond transaction, we closed on the Beltline. The Westside TAD has a Letter of Credit and there were concerns regarding it. It is decreasing and trading more where it should be. It should be done in December. Perry/Bolton is still on hold and impossible to get done this year. We may try to get it priced in December. The Downtown Development Authority Refunding is pushed off until January or February 2009. It has a direct impact on the General Fund. There interest rates have been high. GO Refunding will not be done anytime soon because it is not financially feasible. It is based on where the market is and will not achieve any savings. Page #5 is the Airport Variable Debt. It continues to trade higher than the index. We have been working non-stop on this. We are meeting with the banks on tomorrow. It is a cost the Airport tremendously. Page #6 is the Indirect GO Debt. The pink line is the COPS transaction and it is flat because the rates are fixed. The DDA is dropping down and in line with Sigma. Late November the rates are going back up. We plan to do this transaction in January or February. We are hopeful about these bonds. The index took a deep drop. We will report on it next month. We are having a kick off meeting with the Department of Watershed next week. We are looking at refunding these bonds. We are preparing to fix these out. Page #8 is the TADS. All of them will have a Letter of Credit from Wachovia. We have not experienced any problems. The last page is the Commercial Paper for the Departments of Watershed and Aviation. We are having success with getting these remarketed. Page #10 is an update with what is going on with investments. The indexes are looking more favorable. Councilmember Fauver stated that we passed an Ordinance to not pass any

GO Bonds. Ms. Boone responded that this is not new money transactions but a refunding for bonds currently outstanding.

GENERAL FUND FIRST QUARTER RESULTS

Mayor Shirley Franklin: addressed the Committee by stating that the CFO helped us prepare this document to make smart decisions as we proceed. She passed out a letter that was sent to Chairman Charles B. Rangel of the House Ways and Means Committee. Page #3 shows that our economic condition is higher than it has been in many years. The unemployment rate is at 6.5%. We lost 22,500 jobs. We have a decrease in growth. Spending is down and mall traffic is down by 10%. The recession will not end quickly. 70% of our revenues are driven from activities of the economy. Sales tax revenues are threatened. It is the worst reading since 1967. Income is down since last year. Home prices are down 18% and homes sales are down 40% across the region. There are over 13,000 homes in foreclosure in the City of Atlanta. Hotels and Motels have taken a hit and tourist spending has fallen as well as business travel. Permits are also down. New housing is down 31%. Nationally the economy is tainted. New York City has instituted across the board cuts. Chicago has a 16% shortfall. There are cuts across City operations. Two weeks ago we heard that Gwinett had reductions and DeKalb County is proceeding with further reductions. The State of Georgia is evaluating and looking for \$2 billion dollars. Las Vegas has a hiring freeze and a 4% operating short fall. The City of Atlanta expenses are on budget. We have controlled expenses. Fuel and utility costs are slightly above budget. We are pretty much on target. General Fund revenues are expenses are on target and down more than 12% and Sales Taxes are down 3%. We have seen numbers from September, October and November. Property taxes represent about 20% of revenue as well as Sales Taxes. Revenue for building is down 60%. We are projecting a revenue shortfall under the current projections of \$50 to \$60 million dollars. Aviation is holding up, but there is a hiring freeze. Watershed is facing a \$50 million dollar shortfall. We are proposing to take immediate action. We propose to dedicate \$12 million dollars from the Reserve to close the gap. We will immediately implement a hiring freeze and a weekly furlough of four hours per week starting the first pay period of December for the remainder of the fiscal year. We will generate between \$25 to \$30 million dollars. The \$50 to \$60 million dollars are projections. She has asked the COO to put together a plan. All of the actions will put us closer to our projections. We believe in working together with Council. She added that this is an austere period. There are significant changes in the way that Cities are addressing these shortfalls. 300 American companies are repealing to the federal government. It boils down to pension or jobs. We are not alone in this. We need a federal rescue plan in addition to what we are doing. Councilmember Maddox stated that the City is in a similar situation as other major Cities. We have to do what we can to close the gap. He can understand freezing employment. Those who have to give up so many hours a week is somewhat painful because other expenses have increased. Mayor Franklin responded that these are difficult, painful times. She regrets having to come back to Council, the employees and our citizens. We have a team working with the financial adjustments and employees. Councilmember Maddox asked about the exceptions. Mayor Franklin responded there is no exception in the General Fund. We are not asking people to work less and get paid less. Chairperson Shook thanked the Mayor. Pages #3 and #4 have some national numbers. Mayor Franklin responded that the home sales are down 40%. The foreclosure numbers are for the City of Atlanta. We are ranked 6th in the Country. Chairperson Shook stated page #6 show the personnel expenses and we are below budget. He then asked about overtime. Mayor Franklin responded that we are not increasing the overtime budget.

Mr. Greg Giornelli: Mayor's Office Chief Operating Officer addressed the Committee by stating that we are doing fine with overtime. When there are multiple vacancies there will be some overtime. We are doing excellent and are 2% below in personnel costs. Chairperson Shook stated that in the last budget we stripped out the vacant positions. Mr. Giornelli responded that it is normal to have 5% vacancy. Mayor Franklin added that in non-public safety we reduced overtime by 30% in the General Fund to get to the

\$570 million dollars budget that was passed. We are starting now with furloughs. Chairperson Shook stated that it appears that she tried hard to do it across the General Fund. Do you believe that all groups are important? Mayor Franklin responded that we have to look at the services we provide and looking at what else we can change. We don't believe that we are finished. We assume that we were vigorous of what we needed. Even with those adjustments we now believe that our revenues are going downward faster than we anticipated. These are things we can do immediately. Chairperson Shook asked if you have identified potential revenue avenues. Mayor Franklin responded that the revenues would need to hit the 2009 budget. Councilmember Muller stated that it bears repeatedly that the federal government needs to look at local government. We were told at the retreat that we cannot bid Bonds for the International Terminal. Mayor Franklin responded that Council should express the concerns on these subjects as well. We need liquidity for the municipal bonds. Our debts are increasing while our revenues are decreasing. When you have high water rates you have to be conscious on extra charges. Councilmember Hall asked if the Mayor has heard any feedback from Chairman Rangel. Mayor Franklin responded that other Cities have testified as well. We got our letter in on Monday. She thinks that they will be directive toward this letter. We need guaranteed Municipal Bonds. We need legislation from the State. She has been give recommendations from the CFO. Title 1 is where the federal government is paying for the hiring of teachers. Some Mayors believe that Secretary Paulson has the authority that is needed for Local Governments and States. Councilmember Hall asked if there is any good news for the economy in Atlanta. Mayor Franklin responded no. Young people are now watching their expenditures. We need to find a way for them to spend some money. She added that President Elect Barack Obama spoke with his Advisers as to where Congress will look at helping Local Governments. If we operate in the black we will not be bankrupted. Councilmember Maddox stated that the former CFO stated that we should establish a Cost Reduction Program suggested from the employees. When he worked at Lockheed they had a Program of that nature. He hopes that the COO will follow through with this. Mayor Franklin stated that this is an optimistic scenario. Our first quarter suggests that we are on a downward spiral. She believes that in this economy States are in the same shape. We believe that Cities should tighten their own belts, appeal to the citizens, appeal to the State and then appeal to the Federal Government. We have to make a case to them. If we could hire 5000 people through an Infrastructure Program they can make direct investments. This is the most optimistic plan she has. Councilmember Maddox asked how can the Council help with your letter? We could do a Resolution of support. This is a revenue problem. Mr. Giornelli responded that he would go through pages #8 through Page #12. This is something we recognize that is needed. Page #8 shows the details. We are controlling things that we can control. We are spending \$12 million dollars less than budgeted for. We are doing a financial reform plan. Page #9 details the revenue story where revenues are lacking over 12%. Those revenue items are building permits, etc., which are down 40% to 60%. Page #11 emphasizes that this is the most optimistic scenario and keeps money in the Reserves, which is approximately \$22 million dollars. Page #12 is the remainder of the plan. Chairperson Shook asked if the bailout will help Atlanta. Mr. Giornelli responded that it won't help with the economy. We may have to close the buildings on Friday. We don't have specific answers. Legally we can't make decisions on City Council's staff. Councilmember Muller suggested working from home. Councilmember Maddox stated that we need to talk about what would be the best services to our constituents. Mr. Giornelli responded that it is not a good thing to speculate. It is wise to acknowledge that these cuts will impact services. Councilmember Maddox stated that we need to express it to them. People are concerned about crime. We need to prevent the fear factor and maintain the level of service. Mr. Giornelli responded that we have the crime statistics and they are down except for car break ins, which are up tremendously. Councilmember Hall stated that we have had challenges. Is there a turnaround plan? Mr. Giornelli responded that we have 60% to 70% of certainty in these numbers. We don't have the ability to implement our financial processes properly. CFO Glass added that he will have the books closed soon and until you see actual numbers these are estimates. We are going through the data and scrubbing it. Mr. Giornelli responded that we will report them in the second quarter numbers. Afterward, we will provide

them monthly. CFO Glass added that we will push hard on restructuring the process. It is imperative to do it as quickly as we can. We have to make sure that the system is performing correctly. He will report back. Councilmember Hall stated that it is important to have that. Mr. Giornelli responded that we are all talking about having a timeline. We will be back on a regular basis. Chairperson Shook asked about the hiring freeze and furloughs. Mr. Giornelli responded that it is spread out equally. The math is straight forward. We will be saving roughly \$2 million dollars per month. It is also using the assumed 5% vacancy. Chairperson Shook asked if that means we will have attrition. Mr. Giornelli responded that the hiring freeze is through an Administrative Order. The CFO and COO have to jointly administer it. Chairperson Shook asked about additional cuts. What is the process going to be? Mr. Giornelli responded that we will have our Office sit down with the Departments one on one and go through their budgets. Some things are more important than others. We are looking at things and going through them on a case by case basis. It has to be a long term decision. Chairperson Shook stated that all of the cuts have been across the board. Councilmember Hall stated that he cannot tell his constituents that services will be cut. Mr. Giornelli responded that there is no other option than to cut into the bone. If we have to cut and not cut public safety it would be impossible. We will send out the information electronically. Chairperson Shook stated that we risk being vague with public safety. Over the years a lot of overhead has gotten bloated. Mr. Giornelli responded that we agree.

CONSENT AGENDA

TO WAIVE APPLICATION OF THE CITY'S CODE TO RENEW ON A RETROACTIVE BASIS THE FIRST RENEWAL TERM AGREEMENT WITH HOLLAND & KNIGHT LLP

08-O-2169 (1) An Ordinance by Finance/Executive Committee waiving application of the City's Code to renew on a retroactive basis for the first renewal term Agreement with Holland & Knight LLP, for FC-6006007921-B, Annual Contract for Lobbying Services for the Washington Representative; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

08-O-2240 (2) An Ordinance by Finance/Executive Committee to authorize the Mayor to waive the Competitive Procurement Provisions contained in Atlanta City Code Article X, Procurement and Real Estate Code, to authorize the Chief Financial Officer to remit payment to CA Inc., for the past due invoice for the current contract year in an amount not to exceed one hundred sixty-eight thousand, one hundred forty-five dollars and eighty-one cents (\$168,145.81) for mainframe operations management, desktop management, network management, and information security software licenses, support and maintenance to be charged to and paid from FDOA Number 1001 (General Fund) 050202 (IT Applications) 5410001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE ON FIRST READ

TO WAIVE APPLICATION OF THE CITY'S CODE OF ORDINANCES

08-O-2241 (3) An Ordinance by Finance/Executive Committee waiving application of the City's Code of Ordinances and allowing the City to renew on a retroactive basis for first renewal term Agreement

with Pillsbury Winthrop Shaw Pittman LLP, for FC-6006007921-A Annual Contract for Lobbying Services for the Washington Representative; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND SECTION 1 OF ORDINANCE NO. 07-O-1007 AMENDING CHAPTER 110, ARTICLE 1, SECTION 110-3 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA

- 08-O-2242 (4) An Ordinance by Finance/Executive Committee amending Section 1 of Ordinance No. 07-O-1007 amending Chapter 110, Article 1, Section 110-3 of the Code of Ordinances of the City of Atlanta, Georgia. This Ordinance is to amend the Room Rental Fee for Tenants in Good Standing of the City's Neighborhood Centers – John C. Birdine, Dunbar, and Georgia Hill. The Room Rental Fees for those rooms shall be \$0.00 for tenants from 8:00 a.m. through 5:00 p.m., Monday through Fridays and on weekends and holidays shall pay the normal resident hourly rate of \$30.00 for the multi-purpose/ large meeting room and \$25.00 for small meeting rooms on behalf of the Executive Offices – Office of Enterprise Assets Management.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ESTABLISH TRUST FUND ACCOUNT STRINGS FOR THE EXECUTIVE OFFICES

- 08-O-2243 (5) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to establish Trust Fund Account strings for the Executive Offices – Office of Enterprise Assets Management to accept room rental fees and revenues associated with lease office space from the Neighborhood Service Cents – John C. Birdine, Dunbar and Georgia Hill to establish that half of all funds generated by the room rental fees and leased office space shall be deposited into 1001 (General Fund), Department 000002, Account 3810008 (Building Rentals, General) 0000000 (Default), and that half of the funds generated by such fees shall be deposited into the newly established Trust Fund Account Strings for each Neighborhood Service Center on behalf of the Executive Offices – Office of Enterprise Assets Management. All revenues generated by the refundable room deposit fee at each Neighborhood Service Center shall be deposited and expended from the newly created Trust Fund Account Strings for each Neighborhood Service Center; to authorize the Office of Enterprise Assets Management to expend fees from room rental fees, leased office space and the refundable room deposit fees, in addition to transferring the existing funds from the Department of Parks Recreation and Cultural Affairs Trust Fund Account to the newly established Trust Fund Account Strings for each Neighborhood Service Center on behalf of the Executive Offices – Office of Enterprise Assets Management, and for other purposes.

FAVORABLE ON FIRST READ

TO RATIFY CONSULTING SERVICES RENDERED BY MACTEC ENGINEERING AND CONSULTING, INC.

- 08-O-2248 (6) An Ordinance by Finance/Executive Committee to ratify Consulting Services rendered by Mactec Engineering and

Consulting, Inc., for FC-6005008009, Brownfield Identification, Assessment, and Prioritization, on behalf of the Department of Planning and Community Development; to authorize a new contract with Mactec Engineering and Consulting, Inc. for FC-6005008009; to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.

FAVORABLE ON FIRST READ

Councilmember Hall stated that he would abstain for business reasons.

REGULAR AGENDA

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER, ON BEHALF OF THE DEPARTMENT OF EXECUTIVE OFFICES

08-O-2072 (1) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer, on behalf of the Department of Executive Offices, to pay a final outstanding invoice to Pillsbury Winthrop Shaw Pittman LLP, FC – 6006007921-A, for Lobbying Services, in an amount not to exceed ten thousand eight hundred thirty-three dollars and thirty-three cents (\$10,833.33); all funds to be Charged To and Paid From Fund, Department Organization and Account Number 1001 (General Fund) 040207 (Exe Intergovernmental Affairs) 5212001 (Consultant/Professional Services) 1570000 (Public Information); and for other purposes.

FAVORABLE

Ms. Megan Middleton: Manager of the Mayor's Office of Intergovernmental Affairs addressed the Committee by stating that this was for a federal lobbyist in Washington. The contract expired in June 2008. We owe them for one month of service. We have stopped work with them. Councilmember Hall offered a motion to **Approve, 4 Yeas**. Councilmember Maddox asked if they did us any good. Ms. Middleton responded that they recognized funding and notified us of grants.

TO ANTICIPATE AND APPROPRIATE GMA LOAN PROCEEDS-REFUNDING FROM A LEASE UNDER THE GEORGIA MUNICIPAL ASSOCIATION DIRECT LEASING PROGRAM

08-O-2073 (2) A **Substitute** Ordinance by Finance/Executive Committee anticipating and appropriating GMA Loan Proceeds-Refunding from a Lease under the Georgia Municipal Association Direct Leasing Program, in the amount of \$5,018,963.03; which retired an existing Variable Rate Loan and established a Fixed Rate Loan; and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA, 11/12/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute. Ms. Boone stated that we are anticipating and appropriating for the refunding. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas**.

TO ANTICIPATE AND APPROPRIATE GMA LOAN PROCEEDS- REFUNDING FROM A LEASE UNDER THE GEORGIA MUNICIPAL ASSOCIATION DIRECT LEASING PROGRAM

- 08-O-2074 (3) A **Substitute** Ordinance by Finance/Executive Committee anticipating and appropriating GMA Loan Proceeds-Refunding from a Lease under the Georgia Municipal Association Direct Leasing Program in the amount of \$763,347.85; which retired an existing Variable Rate Loan and established a Fixed Rate Loan/ and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA, 11/12/08)**

FAVORABLE

Chairperson Shook stated that we have a Substitute. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO AMEND THE 2008 (INTERGOVERNMENTAL GRANT FUND) BUDGET

- 08-O-2075 (4) An Ordinance by Finance/Executive Committee amending the 2008 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations Georgia Department of Transportation (GDOT) Transportation Enhancement Funds in the amount of nine hundred and thirty-seven thousand, five hundred dollars (\$937,500.00) for the purpose of funding construction expenses for Atlanta Memorial Multi-Use Trail Phase IA Project. **(Finance/Executive Committee Substitute corrects the FDOA, 11/12/08)**

FAVORABLE ON SUBSTITUTE

Mr. Deon Franklin: of the Department of Planning and Community Development addressed the Committee by stating that this is anticipating and appropriating money for the construction and it is part of the Beltline project.

TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

- 08-O-2249 (5) An Ordinance by Councilmember Howard Shook to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances to execute Renewal No. 3 with Banks, Finley, White & Co. CPA's for FC-6005007976, Annual Contract in an amount not to exceed \$900,000 (nine hundred thousand dollars) to be paid from 1001 (General Fund), 100305 (Department of Finance/General Accounting), 5212001 (Consulting/Professional Services), 1512000 (Accounting), for the City of Atlanta Audit of Financial Statements, on behalf of the Department of Finance; and for other purposes.

FAVORABLE

CFO Glass stated that our Audit is on the way. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

TO AMEND CODE SECTION 2-1201 TO ADDRESS UNAUTHORIZED CONTRACTS

- 08-O-2256 (6) An Ordinance by Councilmember Felicia A. Moore amending Code Section 2-1201 to address unauthorized contracts and/or the furnishing of unauthorized goods or performance of unauthorized

contracts; amending certain other miscellaneous provisions in Section 2-1291; and for other purposes.

FAVORABLE

Ms. Serena Sparks: Deputy City Attorney addressed the Committee by stating that Attorney Robert Caput drafted this legislation. It is to require that all contracts have a notice or acknowledgement. Chairperson Shook offered a motion to **Approve, 4 Yeas.**

TO AMEND ARTICLE "V" CLASSIFICATION PLAN, SECTION 114-477

08-O-2257 (7) An Ordinance by Councilmember C.T. Martin to amend Article "V" Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to create a Classification and Position of Economist; and for other purposes.

HELD

CFO Glass stated that we should hold this paper considering our financial situation. Chairperson Shook stated that we discussed it briefly at the retreat.

TO AMEND THE FY 2008 (INTERGOVERNMENTAL GRANT FUND) BUDGET

08-O-2259 (8) An Ordinance by Councilmembers Natalyn Archibong and Ivory Lee Young, Jr. **as Substituted by Finance/Executive Committee (1), 11/12/08** amending the FY 2008 (Intergovernmental Grant Fund) Budget, Office of the Mayor, by adding to anticipations and appropriations in the amount of eight hundred eighty two thousand dollars and no cents (\$882,000.00) from the State of Georgia's Bright From the Start: Department of Early Care and Learning Program for the 2008 Summer Food Service Program; and for other purposes. **(Finance/Executive Committee Substitute changes the fiscal year 2008 to calendar year 2008, 11/12/08)**

FAVORABLE ON SUBSTITUTE

Ms. Simone Braithwaite: Senior Assistant City Attorney addressed the Committee by stating that we need a Substitute to change the fiscal year 2008 to calendar year 2008. It is located in the first Ordained Clause, Section 1. Chairperson Shook offered a motion to **Approve on Substitute, 4 Yeas.**

TO AMEND THE FY 2009 BUDGET BY TRANSFERRING \$140,000 FROM COUNCIL DISTRICT 5 COUNCIL MEMBER EXPENSE ACCOUNT

08-O-2260 (9) An Ordinance by Councilmember Natalyn M. Archibong **as Substituted by Finance/Executive Committee (1), 11/12/08** to amend the FY 2009 Budget by transferring \$140,000 from Council District 5 Council Member Expense Account to the Department of Planning and Community Development (Code Enforcement) (\$50,000), the Department of Public Works (Sidewalk Improvements) (\$40,000), and the City of Atlanta General Fund (\$50,000); and for other purposes. **(Finance/Executive Committee Conditional Passage of getting the appropriate Account Number, 11/12/08)**

FAVORABLE ON CONDITION

Chairperson Shook stated that we will Hold this paper. He then stated that we will reconsider. Councilmember Archibong stated that she wanted it approved on

Condition. CFO Glass added that we should be able to get the appropriate account. Chairperson offered a motion to **Approve on Condition of getting the appropriate Account Numbers, 4 Yeas.**

TO AMEND CHAPTER 114, PERSONNEL, ARTICLE "V", CLASSIFICATION PLAN OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA

08-O-2261 (10) An Ordinance by Councilmember Howard Shook **as Substituted by Finance/Executive Committee (1), 11/12/08** to amend Chapter 114, Personnel, Article "V", Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to transfer positions, abolish and create positions and classifications, and provide for certain position reclassifications, employee salary adjustments and other mid-year personnel actions in line with the 2009 Budget; and for other purposes. **(Finance/Executive Committee Substitute includes a transaction for the Department of Public Works, Finance/Executive Committee Conditional Passage is to have discussions with Councilmembers, 11/12/08)**

FORWARD WITH NO RECOMMENDATION ON CONDITION

Chairperson Shook stated that we have a Substitute to include a transaction for the Department of Public Works and adds his name to the legislation.

Ms. Benita Ransom: Commissioner of the Department of Human Resources addressed the Committee by stating that the Substitute shows the actions for the General Fund and Enterprise Funds. The Department of Aviation is abolishing a Financial Analyst position that is vacant. Councilmember Hall asked if they are pay increases. Commissioner Ransom responded that there are some. Councilmember Maddox asked if this coincides with what the Mayor just said. Commissioner Ransom responded that the actions are in the Departments of Aviation and Watershed. Chairperson Shook asked why are we giving raises to some while furloughing others. Commissioner Ransom responded that the Risk Manager's position was in the Department of Finance and it was Riffed, but the Department of Aviation needs that position. Chairperson Shook stated that the justification document is good. He then asked about Above Entry Hiring. He finds it hard to believe that it is a problem with hiring qualified people this day and time. Commissioner Ransom responded that it is difficult hiring people with the extensive experience and background. Page #3 is to assist with the recruitment of Electrical Workers at the Airport. Chairperson Shook stated that the original approved schedules are not worth the savings. Why can't we hire people? Commissioner Ransom responded that when the Code changed we had to come to Finance/ Executive Committee to discuss them. They are asking for the ability to work within the range. Employee salary adjustment is where employees take on additional duties. Chairperson Shook stated that we are creating two positions and doing above entry hiring. Commissioner Ransom stated that in the Department of Finance there was a supervisor who oversaw people who did Oracle and it is no longer needed. Fire changes Fire Apparatus Drivers to a Fire Captain. It is changing the title, not the grade. There are no changes in qualifications. The Department of Planning Financial Manager's position is vacant. We are asking for above entry hiring. Police is a grade #26 for a Criminalist to Grade #21. Public Works are all Quality of Life Grant funded. There is one reclassification and one salary adjustment. Chairperson Shook asked what other source could the Quality of Life funds be applied to. Could it go to projects? Commissioner Ransom responded that it is for projects and administration. Chairperson Shook stated that the question is if he wants to pay someone more or have more sidewalks. Is it applied to a project? Councilmember Muller stated that there is not a category for administration. In the 1994 Bonds there were three different contracts for administration. Commissioner Ransom responded that the Project Manager is being reclassified and the Analyst has no change in her grade or the other two. They are adjusting the payment on assigned duties. The Department of

Watershed Management has seven abolishments and are asking for seven creations. The first four are Filled positions and three are vacant. They have been working out of class. The abolishment was recommended to fund the creations. Next are reclassifications to realign the positions. Chairperson Shook asked if they are taken as a set. Commissioner Ransom responded that they are filled out of class. Next are Salary Adjustments where the individuals have been reassigned duties. Above Entry has 19 vacant positions and we are asking to fill them up to mid point. They require a State License. There are two positions that are changing the Fund Account Numbers. The last Section is the General Training Program to help the Department of Watershed help their unskilled employees. They will receive certificates. A similar Program used to exist. Councilmember Hall asked where do you get the applicants from. Commissioner Ransom responded that they are current employees. The intent is to develop skills for unskilled and semi-skill employees. The University of West Georgia will do the training.

Mr. Sam Hicks: of the Department of Human Resources addressed the Committee by stating that we had a good Program before when the Department of Watershed Management was privatized. It includes Electricians, etc. Watershed has attempted to streamline its operations. Wastewater has abolished over 100 positions. This Program allows the employees to move up and go to gold classifications. The U.S. Department of Labor has certified this Program and the City of Atlanta is the only City that is certified. Chairperson Shook asked if it has been done anywhere else. Councilmember Muller stated that the Department of Parks has done it. Chairperson Shook stated that he hopes that it will work. Councilmember Maddox asked about the Watershed personnel. Are they participating in the furloughs? It seems if we are freezing positions in the General Fund we are doing it for a cost saving rationale. Why can't we do it for Watershed and Aviation? The savings could be passed on to the rate payers.

Mr. Robert Hunter: Commissioner of the Department of Watershed Management addressed the Committee by stating that we have been tracking our revenues and expenses. The furlough issue is going to lead to reduction in services. We are going through and looking at the \$50 million dollar gap. One of the issues to us is that things that would have been dealt with administratively now have to come to Council. We are addressing the budget issues. Councilmember Maddox asked if the savings can be passed on to the rate payers. Commissioner Hunter responded that we have to balance our budget. We are looking at a shortfall of \$35 million dollars. We are also looking at a \$10 dollar increase. We have been speaking with our employee groups for the past month. Chairperson Shook asked about Section 10. Commissioner Ransom responded that we went from 8634 to 8635 with the additional position added at the Airport. Chairperson Shook stated that some of this is moving things around. The Mayor was talking about furloughs and freezes. Should we wait for the Audit before making these moves? Commissioner Hunter responded that one position is for a Plant Manager. We have to come back because the position has not been approved. On the Drinking Water side, we have 75% of employees that is eligible for retirement. We need to develop programs to keep the services operating. It is essential not to have to come back for something we already have in the budget and get the qualified people in. We need to move this paper forward. Chairperson Shook stated that he needs to have a further review. Commissioner Hunter responded that the Departments of Watershed and Aviation is willing to discuss this. These positions were in the budget. Councilmember Maddox stated that it would be wise to move this paper **Forward With No Recommendation on Condition of discussing the issues with Councilmembers, 3 Yeas, 1 Abstention**. He understands what they are attempting to do. Commissioner Hunter responded that the vast majority of the paper is budget neutral. Chairperson Shook asked for the CFO's opinion. Are you comfortable with this paper? CFO Glass responded that he was assured by the Departments of Watershed and Aviation that they need to have this done. He will hold them to it. It is part of their savings and gap closings. Councilmember Hall agrees with Holding it. Chairperson Shook stated that next week is going to have a tight schedule.

Ms. Katrina Taylor: of the Department of Public Works addressed the Committee by stating that there is a Program Management budget that is separate from projects.

TO CORRECT ORDINANCE 08-O-1227

08-O-2262 (11) An Ordinance by Councilmember Jim Maddox to correct Ordinance 08-O-1227; to amend the FY 2009 General Fund Budget by transferring appropriations for the purpose of providing grant awards from the Advisory Committee on International Relations to certain Organizations; and for other purposes.

FAVORABLE

Councilmember Muller offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE A SOLE SOURCE AGREEMENT WITH BURNETT LIME COMPANY, INCORPORATED

08-R-2164 (1) A Resolution by City Utilities Committee authorizing the Mayor to execute a Sole Source Agreement with Burnett Lime Company, Incorporated for CAL-FLO Lime Slurry at the Chattahoochee Treatment Plant Complex and Hemphill Treatment Plant Complex, on behalf of the Department of Watershed Management, in an amount not to exceed six hundred thousand dollars (\$600,000.00); all contract work shall be charged to and paid from 5051 (Water & Wastewater Revenue Fund) 170404 (DWM Water Treatment Complex-Chattahoochee) 5311003 (Chemicals) 4430000 (Treatment Default) – (\$300,000.00) and 5051 (Water & Wastewater Revenue Fund) 170405 (DWM Water Treatment Complex-Hemphill) 5311003 (Chemicals) 4430000 (Treatment Default) – (\$300,000.00); and for other purposes.

FAVORABLE

Ms. Sheila Pierce: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that this is to purchase liquid lime slurry to be used at our Water Treatment Plants for PH adjustment. It is a Sole Source contract. Councilmember Muller offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO STEEL ATLANTA, INC.

08-R-2244 (2) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Steel Atlanta Inc., in an amount not to exceed twenty thousand eight hundred eighteen dollars and twenty-five cents (\$20,818.25) for an overpayment of Alcohol Beverage Taxes; all funds shall be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund), 200301 (NDP Unallocated City Wide Employee Expenses), 5730012 (Refunds); and for other purposes.

FAVORABLE

Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH ICLEI, INC.

08-R-2245 (3) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Memorandum of Understanding with ICLEI, Inc. for the purpose of hosting the ICLEI, Inc. Southeastern Regional Office at City Hall South; and

for other purposes. **(Finance/Executive Committee Substitute adds Exhibit "A", 11/12/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute to add Exhibit "A".

Ms. Mandy Schmidt: Director of the Office of Sustainability addressed the Committee by stating that we are giving ICLEI two office spaces. Councilmember Muller stated that we were just talking about ways to save money. Ms. Schmidt responded that we reinstituted those policies and saved 20% on utilities use. Councilmember Maddox stated that he cuts off lights all of the time throughout City Hall. Ms. Schmidt responded that we need your help. We will be moving toward adjusting the thermostat more. It is about changing your culture. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT NO. 3 FOR THE INTERGOVERNMENTAL AGREEMENT

08-R-2246 (4) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to execute Amendment No. 3 for the Intergovernmental Agreement with the U.S. Geological Survey, United States Department of Interior, for FC-6004007858, to provide additional funding for the 2009 calendar year in an amount not to exceed one million one hundred eighteen thousand seven hundred forty seven dollars and no cents (\$1,118,747.00) one behalf of the Department of Watershed Management); all contracted work shall be charged to and paid from Fund, Department Organization and Account Number 5051 (Water & Wastewater Revenue Fund) 170603 (DWM Industrial Wastewater Monitoring) 5213001 (Consulting/Professional Services-Technical) 7210000 (Protective Inspection Administration); and for other purposes. **(Finance/Executive Committee Amendment states that it is 2009 calendar year instead of 2008 in the last Whereas Clause, 11/12/08)**

FAVORABLE AS AMENDED

Ms. Pierce stated that this amendment will fund 2009 activities between Watershed and the U.S. Geological Survey. The contract has been as much as \$3.5 million dollars and last year \$1.4 million dollars and this year it is \$1.1 million dollars. The data helps us with cleaning our streams and the Atlanta Clean City Program. There is a three phase process. We use the data and services provided under that Agreement. Councilmember Maddox offered a motion to **Approve as Amended, 4 Yeas.**

Mr. Larry Stokes: Research and Policy Analyst addressed the Committee by stating that the Amendment states that it is 2009 calendar year instead of 2008 in the last Whereas Clause. Chairperson Shook asked what part do we have to do. Ms. Pierce stated that some of the monitoring is required in our Consent Decree. Chairperson Shook asked if all water municipalities are using this. Ms. Pierce responded that she is not sure. There is a portion funded by USDS. Chairperson Shook asked how many sites are we servicing.

Mr. Tracy Owens: of the Department of Watershed Management addressed the Committee by stating that we have an additional 20 points. We initially had 40. They are stats. They require that we have a water protection plan. Phase I is a monitoring plan. We should be done in a couple years. Chairperson Shook stated that he has been to the website. He has stated that no one does anything with this information. Mr. Owens responded that we have used the data to reduce pollution, etc. We were able to change the chemical dosing at that facility. There is a Consent Decree order

requirement. Chairperson Shook asked if we have a plant discharging water that we need to monitor. Does this company only certify these government requirements? Mr. Owens responded that we have representatives from the US Geological Surveys here. The total is \$12 million dollars. Councilmember Maddox offered a motion to **Approve as Amended, 3 Yeas, 1 Nay.**

TO AMEND SECTION 2 OF RESOLUTION NO. 03-R-1310

08-R-2247 (5) A Resolution by Finance/Executive Committee amending Section 2 of Resolution No. 03-R-1310, authorizing the Mayor to enter into various Lease Agreements at the John C. Birdine, Dunbar and Georgia Hill Neighborhood Service Centers. This Resolution, amending Section 2 to increase the rental rate from \$8.44 per square foot annually to \$10.00 per square foot annually on behalf of the Executive Offices – Office of Enterprise Assets Management.

FAVORABLE

Councilmember Muller offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO EXECUTE RENEWAL AGREEMENT NO. 2

08-R-2250 (6) A Resolution by Finance/Executive Committee authorizing the Mayor or her Designee to execute Renewal Agreement No. 2 with Resurgens Risk Management/Willis Insurance Services of Georgia for FC-6004007869, Insurance Agent Broker, on behalf of the Department of Finance, in an amount not to exceed one hundred twenty thousand dollars (\$120,000.00) plus an OCIP Airport Fee of .0025 X total construction cost subject to an annual minimum of \$200,000; all contracted work shall be charged to and paid from Fund, Department Organization Account Numbers: 1001 (General Fund), 100309 (DOF Quality Control & Compliance), 5231001 (Insurance Expenses) 1560000 (Internal Audit); 5502 (Airport Renewal & Extension Fund) 100309 (DOF Quality Control & Compliance) 5231001 (Insurance Expenses) 1560000 (Internal Audit); 5501 (Airport Revenue Fund) 180312 (DOA Aviation Operations) 5231001 (Insurance Expenses) 7563000 (Airport); and for other purposes.

FAVORABLE

Chairperson Shook asked if this is the final. Councilmember Muller asked what is OCIP? CFO Glass responded that OCIP relates to the Capital Improvement Fund. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO A MEMORANDUM OF

08-R-2251 (7) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Memorandum of Understanding with Zipcar for a one-year Pilot Program to provide transportation to City of Atlanta Employees as part of the Commuter Alternative Program; and for other purposes.

FAVORABLE ON SUBSTITUTE

Councilmember Muller offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE MAYOR TO ACCEPT A GRANT AWARD FROM THE KENDADA FUND

- 08-R-2252 (8) A Resolution by Finance/Executive Committee authorizing the Mayor to accept a Grant Award from the Kendada Fund, on behalf of the City of Atlanta, in an amount not to exceed two thousand five hundred dollars and no cents (\$2,500.00), to provide funding for a one-year Pilot Program with Zipcar; and for other purposes.

FAVORABLE

Councilmember Muller offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC.

- 06-R-1667 (1) An **Amended** Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Amended and Held, 8/16/06 at the request of the Committee to allow time pending additional review)**

HELD

TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA

- 07-O-0138 (2) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07 at the request of the Department of Procurement for an additional study)**

HELD

TO PROVIDE FOR THE ANNEXATION OF 4605 BIRDIE LANE, SW

- 07-O-0623 (3) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of 4605 Birdie Lane, SW, Atlanta, Georgia, 30331, 0.404 acres of land located in Land Lot 61 of the 14th District of Fulton County to the corporate limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 3/28/07 to ensure annexation procedures are executed appropriately)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE ORKNEY/LANARK DRIVE COMMUNITY

- 07-O-0968 (4) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Orkney/Lanark Drive Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

HELD

TO AMEND ARTICLE V. CLASSIFICATION PLAN

- 07-O-0974 (5) An Ordinance by Councilmember C.T. Martin **as Substituted by Finance/Executive Committee** to Amend Article V. Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to create (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07 in conjunction with consideration of 2008 Budget)**

HELD

TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE IN THE AMOUNT OF \$4.50

- 07-O-1087 (6) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to allow the City to impose a verification/convenience fee in the amount of \$4.50 on credit cards users, on-line payment users, electronic check users, or interactive voice response users submitting payments for fees and/or fines imposed by the City of Atlanta such as those associated with traffic enforcement and Water and Wastewater City Services; to recover the cost the City pays to third-party vendors to process such payments; all collected funds will be deposited into various Fund, Account and Center Numbers; and for other purposes. **(Referred back to Finance/Executive Committee by Council, August 20, 2007); (Held, 8/29/07)**

HELD

TO ENCOURAGE MEMBERS OF THE UNITED STATES CONGRESS TO SUPPORT THE EMPLOYEE FREE CHOICE ACT

- 07-R-1904 (7) A Resolution by Councilmember Joyce M. Sheperd that encourages Members of the United States Congress to support the Employee Free Choice Act which authorizes the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them. **(Held, 9/12/07 at the request of the Committee to discuss with the Author)**

HELD

TO SUPPORT H.R. 2447 TO ESTABLISH AN ENERGY AND ENVIRONMENT BLOCK GRANT PROGRAM

- 07-R-2138 (8) A Resolution by Councilmember Ceasar C. Mitchell to support H.R. 2447 to establish an Energy and Environment Block Grant

Program that is presently before the United States Congress; and for other purposes. **(Held, 10/10/07)**

HELD

TO ENDORSE HR 3535 HOMEBUYER'S PROTECTION ACT OF 2007

07-R-2139 (9) A Resolution by Councilmember Ceasar C. Mitchell to endorse HR 3535 Homebuyer's Protection Act of 2007 pending in the United States Congress; to urge the Georgia Congressional Delegation to support the Act; and for other purposes. **(Held, 10/10/07)**

HELD

TO RESCIND ORDINANCE 07-O-2410

08-O-0295 (10) An Ordinance by Councilmembers H. Lamar Willis, Anne Fauver, Felicia A. Moore, Natalyn Archibong and Ivory Lee Young, Jr. to rescind Ordinance 07-O-2410; and for other purposes. **(Held, 2/13/08)**

HELD

A TWELFTH SUPPLEMENTAL BOND ORDINANCE

08-O-0299 (11) An Ordinance by Councilmember Howard Shook a Twelfth Supplemental Bond Ordinance supplementing the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000, as previously amended and supplemented, to authorize the issuance by the City of Atlanta of its variable rate Airport General Revenue Refunding Bonds, Series 2008A, in one or more Series, in an aggregate principal amount of not to exceed \$550,000,000, each to bear interest in a variable rate mode; to refund all or a portion of the City's variable rate Airport General Revenue Refunding Bonds, Series 2003RF-B and Series 2003RF-C; to provide for a reasonably required Debt Service Reserve; to provide for the rights of the holders of said Bonds; to make certain other covenants and agreements in connection with the issuance of such Bonds; to provide certain terms and details of said Bonds, including authorizing delegated negotiated sales of said Bonds; to provide for the execution of certain agreements relating to one or more credit and/or liquidity facilities with respect to the Series 2008A Bonds; to pay expenses relating thereto; to authorize the preparation, use and distribution of one or more preliminary and final official statements in connection with the offer and sale of the Series 2008A Bonds; to provide for the annual submission of certain financial information and operating data pursuant to Rule 15C2-12 of the Securities and Exchange Commission; to designate one or more Underwriters and Remarketing Agents, and a Tender and Paying Agent and to approve forms of various other agreements in connection with the Issuance of said Bonds; providing for incidental action; providing for severability; to provide and effective date; and for other related purposes. **(Held, 2/13/08)**

HELD

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO PURCHASE PROPERTY LOCATED AT 207/211 VINE STREET

08-O-0402 (12) An Ordinance by Finance/Executive Committee authorizing the Chief Procurement Officer to purchase property located at 207/211 Vine Street and 601/605 Spencer Street, Atlanta, Georgia 30314; to provide for the appraisal of the property; to obtain title reports; to negotiate the purchase price of the property; to authorize the use of legal proceedings if necessary to obtain the property; to accept funds in the amount of \$725,000.00 from the Atlanta Development Authority to be applied towards the purchase of the property; and for other purposes. **(Held, 3/12/08)**

HELD

TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERN- MENTAL AGREEMENT WITH THE FULTON COUNTY DISTRICT ATTORNEY

08-R-0510 (13) A Resolution by Councilmembers Howard Shook and Cleta Winslow authorizing the Mayor to enter into an Intergovernmental Agreement with the Fulton County District Attorney for a period of three years in an amount not to exceed twenty six thousand dollars and no cents (\$26,000.00) per month for services for the City of Atlanta under for Consultation and Support Services to Victims and Witnesses of Crime; all contracted work to be Charged and and Paid From Fund, Account and Center Number 3P01 (Agency Fund) 264017 (Muni Court VW ASST PRG (MCVW) A00001 (Balance Sheet Center); and for other purposes. **(Held, 3/12/08)**

HELD

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ENGAGE ON BEHALF OF THE CITY OF ATLANTA TO ESTABLISH AND IMPLEMENT A COST NEUTRAL DEFERRED RETIREMENT OPTION RETIREMENT PLAN

08-O-0736 (14) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to engage on behalf of the City of Atlanta to establish and implement a Cost Neutral Deferred Retirement Option Retirement Plan as an additional benefit for the members of the City of Atlanta Firefighter's Pension Fund and the City of Atlanta Police Officers Pension Fund; and for other purposes. **(Held, 5/14/08)**

HELD

TO PROVIDE FOR THE ISSUANCE AND SALE OF TAX ALLOCATION BONDS (PERRY BOLTON PROJECT)

08-O-0822 (15) An Ordinance by Councilmember Felicia A. Moore to provide for the Issuance and Sale of Tax Allocation Bonds (Perry Bolton Project), Series 2008, in the aggregate principal amount not to exceed \$1_____ (the "Series 2008 Bonds"), to pay, or to be applied or contributed toward, the payment of redevelopment costs associated with the Projects identified on Schedule 1 hereto (the "2008 Projects"); to authorize paying expenses incident to accomplishing the foregoing; to authorize the execution of a Indenture of Trust, a Bond Placement Agreement, Separate Development Agreements with the developers of each of the 2008

Projects and approving the use and distribution of a Preliminary Limited Offering Memorandum and Final Limited Offering Memorandum; to clarify the intent of the initial Resolution (as defined herein) with respect to the termination of the Perry Bolton TAD (as defined herein) and for certain other purposes, all in connection with the Issuance and Sale of the foregoing described Series 2008 Bonds. **(Held, 4/30/08)**

HELD

TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA

08-O-0829 (16) An Ordinance by Howard Shook to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1. Et Seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 GA. Laws P. 4469, Et Seq., by amending Article 2, Chapter 3, Section 2-302© so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in an increase in taxes, fees, or bond indebtedness; and for other purposes. **(3rd Reading/Final Adoption); (Referred back by Council, 7/7/08); (Held, 7/16/08)**

HELD

TO AMEND CHAPTER TWO, ARTICLE VI, DIVISION 2, SUBDIVISION II, SECTION 2-351

08-O-0830 (17) An Ordinance by Howard Shook to amend Chapter two, Article VI, Division 2, Subdivision II, Section 2-351 (Entitled, "Authorization to Issue Commercial Paper.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in an increase in Bond Indebtedness; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

HELD

TO AMEND CHAPTER 146, DIVISION 1, ARTICLE II, SECTION 146.26

08-O-0831 (18) An Ordinance by Howard Shook to Amend Chapter 146, Division 1, Article II, Section 146-26 (Entitled, "Levy."), Chapter 146, Article II, Section 146-79 (Entitled, "Levied.") and Chapter 146, Article IV, Section 146-113 (Entitled, "Excise Tax Levied; Collection.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in an increase in taxes; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

HELD

TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION 1, SECTION 2-69

08-O-0833 (19) An Ordinance by Howard Shook to amend Chapter Two, Article II, Division 2, Subdivision I, Section 2-69 (Entitled, "Quorum; Vote Required for Passage of Legislation.") and Chapter Two, Article II,

Division 2, Subdivision II, Section 2-96© (Entitled, "Presence at Meetings; Voting on Questions.") of the Code of Ordinances of the City of Atlanta, so as to require an Affirmative Vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in new fees and taxes or an increase in existing taxes, fees, or bond indebtedness; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

HELD

TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION 2-105

08-O-0834 (20) An Ordinance by Councilmember Howard Shook as amended by Finance/Executive Committee to amend Chapter Two, Article II, Division 2, Subdivision II, Section 2-105 (Entitled, "Establishment or Change in Fees for Service; Notice to Public.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in new fees and an increase in fees; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

HELD

TO REQUIRE NOTICE IN CITY CONTRACTS REGARDING THE REQUIREMENTS FOR LEGISLATIVE AUTHORIZATION

08-R-1233 (21) An Ordinance by Councilmembers Felicia Moore, Carla Smith, Joyce Sheperd, H. Lamar Willis, C.T. Martin, Natalyn Archibong, Ivory Lee Young, Jr., Ceasar C. Mitchell, Howard Shook, Clair Muller and Kwanza Hall to require notice in City Contracts regarding the requirements for Legislative Authorization in advance of rendering services of demand for payment; and for other purposes. **(Held 6/11/08 at the request of the Committee to allow Law Department to provide additional information.)**

HELD

TO INCREASE ANTICIPATIONS FOR THE GENERAL FUND FOR FY 2008

08-O-1460 (22) An Ordinance by Finance/Executive Committee increasing Anticipations for the General Fund for FY 2008 based on current revenues and to release the FY 2008 Restricted Reserve; and for other purposes. **(Held and Substituted, 7/30/08)**

HELD

TO AMEND THE PENSION ACTS APPLICABLE TO MEMBERS OF THE GENERAL EMPLOYEES PENSION FUND

08-O-1545 (23) An Ordinance by Councilmember C.T. Martin to amend the Pension Acts applicable to members of the General Employees Pension Fund of the City of Atlanta, so as to provide for a Retirement Program for employees involuntarily separated to balance the City of Atlanta 2009 and 2010 Fiscal Year Budgets and for Reorganization of the Workforce; and for other purposes. **(Held for Actuary Report, 7/30/08)**

HELD**TO AMEND THE FY 2009 (GENERAL FUND) BUDGET**

- 08-O-1546 (24) An Ordinance by Councilmembers Felicia A. Moore, Cleta Winslow, Joyce M. Sheperd, H. Lamar Willis, Mary Norwood, Ivory Lee Young, Jr., Ceasar C. Mitchell, Anne Fauver, Natalyn Archibong and Kwanza Hall to amend the FY 2009 (General Fund) Budget to reestablish the Department of Fire and Rescue Special Operations Squad by transferring appropriations from various non-personnel accounts yet to be determined to the Department of Fire and Rescue Budget Fund Department Account and Organization Number; and for other purposes. **(Held, 7/30/08)**

HELD**A THIRTEENTH SUPPLEMENTAL BOND ORDINANCE**

- 08-O-1586 (25) An Ordinance by Finance/Executive Committee a Thirteenth Supplemental Bond Ordinance supplementing the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000 (99-O-1896), as amended and supplemented by the First Supplemental Bond Ordinance of the City of Atlanta adopted on March 30, 2000 (00-O-0214), the Second Supplemental Bond Ordinance of the City of Atlanta adopted on October 7, 2002 (02-O-1463), the amended and restated Third Supplemental Bond Ordinance of the City of Atlanta adopted on May 19, 2003 (03-O-772), the Fourth Supplemental Bond Ordinance of the City of Atlanta adopted on June 2, 2003 (03-O-0835), the Fifth Supplemental Bond Ordinance of the City of Atlanta adopted on September 15, 2003 (03-O-1448), the Sixth Supplemental Bond Ordinance of the City of Atlanta adopted on November 17, 2003 (03-O-1871), the Seventh Supplemental Bond Ordinance of the City of Atlanta adopted on April 19, 2004 (04-O-0431) and the Eighth Supplemental Bond Ordinance of the City of Atlanta adopted on October 18, 2004 (04-O-1811), the Ninth Supplemental Bond Ordinance of the City of Atlanta adopted on October 3, 2005 (05-O-1717), the Tenth Supplemental Bond Ordinance of the City of Atlanta adopted on April 17, 2006 (06-O-0551), the Eleventh Supplemental Bond Ordinance of the City of Atlanta adopted on April 17, 2006 (06-O-0552), and the Twelfth Supplemental Bond Ordinance of the City of Atlanta adopted on February 18, 2008 (08-O-0216), to provide for the Issuance of Airport Limited Obligation Bond Anticipation Notes, to provide funds to finance or refinance, in whole or in part on an interim basis, the cost of the planning, engineering, design, acquisition and construction of certain improvements to Hartsfield-Jackson Atlanta International Airport, and to pay expenses relating thereto, to authorize and approve the preparation, use and distribution of an Official Statement in connection with the offer and sale of the Bond Anticipation Notes; to provide for the form of the Bond Anticipation Notes and for the execution of the Bond Anticipation Notes; to provide for the place of payment of the principal of and interest on the Bond Anticipation Notes; to amend certain provisions of the restated and amended Master Bond Ordinance relating to maintenance of the Debt Service Reserve requirement and conditions for Issuance of additional Bonds and for other purposes. **(Held, 9/10/08)**

HELD**TO AMEND THE FY 2009 (GENERAL FUND) BUDGET**

08-O-1688 (26) An Ordinance by Councilmember Ceasar C. Mitchell to amend the FY 2009 (General Fund) Budget to reopen and maintain Atlanta Fire Station No. 7 by Transferring Appropriations from various Consulting, Supply, Travel and Other Non-Personnel Accounts yet to be determined to the Department of Fire and Rescue Budget Fund Department Account and Organization Number; and for other purposes. **(Forward with no Recommendation, 8/27/08); (Forwarded back by Full Council, 9/2/08); (Held, 9/10/08)**

HELD**TO ESTABLISH A CITY OF ATLANTA TAXATION AND SERVICE DELIVERY TECHNICAL ADVISORY COMMITTEE**

08-R-1752 (27) A Resolution by Councilmember Mary Norwood establishing a City of Atlanta Taxation and Service Delivery Technical Advisory Committee; and for other purposes. **(Held, 9/10/08)**

HELD**TO ESTABLISH A SET ASIDE OF 1.5% OF CAPITAL PROJECT BUDGETS FOR PUBLIC ART**

08-O-1884 (28) A **Substitute** Ordinance by Finance/Executive Committee to establish a set aside of 1.5% of Capital Project Budgets for Public Art; and for other purposes. **(Held, 10/15/08); (Finance/Executive Committee Substitute on page #2 at the top under the definition of "Eligible Projects" the new language says that Projects Required for compliance with the Consent Decree entered in civil action indicated or any other Project mandated by order issued by a State or Federal Court or Agency shall not be considered an eligible Project subject to the requirement of this Ordinance; but the purposes of this Ordinance and only the Projects with the Department of Watershed Management that shall be considered eligible Projects are those funded with Water and Wastewater proceeds, 11/12/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute on page #2 at the top under the definition of "Eligible Projects" the new language says that Projects Required for compliance with the Consent Decree entered in civil action indicated or any other Project mandated by order issued by a State or Federal Court or Agency shall not be considered an eligible Project subject to the requirement of this Ordinance; but the purposes of this Ordinance and only the Projects with the Department of Watershed Management that shall be considered eligible Projects are those funded with Water and Wastewater proceeds. Councilmember Maddox offered a motion to **Approve on Substitute. 4 Yeas.**

Ms. Flora Garcia: addressed the Committee by stating that we are in support of the redraft of this Ordinance and we encourage your support.

Ms. Diane Harnell-Cohen: Commissioner of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that the Mayor put out an administrative order to spell this out. It codifies what we are trying to do. Any bonds that come from any mandated Consent Decree or Watershed funds eliminate that.

TO ADOPT THE FY 09 FINAL BUDGET

08-O-2021 (29) An Ordinance by Finance/Executive Committee adopting the FY 09 Final Budget to include all Funds, and for other purposes. **(Held, 10/29/08)**

HELD

TO RESCIND ORDINANCE 08-O-0182 IN ITS ENTIRETY

08-O-2022 (30) A **Substitute** Ordinance by Finance/Executive Committee to rescind Ordinance 08-O-0182 in its entirety and to Anticipate and Appropriate Bond Proceeds in the amount of \$39,303,701.07 for the Quality of Life Improvement Bonds, Series 2008A; to fund Projects in the four broad categories of Sidewalk Program; Public Plazas and Greenspace; Public Streets, Bridges & Viaducts; and Public Traffic Control Devices; and for other purposes. **(Held, 10/29/08); (Finance/Executive Committee Substitute clarifies the FDOA, 11/12/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute that clarifies the Account. Dana said that this Ordinance rescinds an Ordinance that was passed earlier. It is an administrative omission. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$20,265,000.00

08-O-2023 (31) An Ordinance by Finance/Executive Committee Anticipating and Appropriating Bond Proceeds in the amount of \$20,265,000.00 from the Solid Waste Management Authority of the City of Atlanta Refunding Revenue Bonds ("SWMA"), Series 2008 to facilitate the financing of the closure of landfills owned by the City of Atlanta; and for other purposes. **(Held, 10/29/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute that changes the Consulting Expense to the Bond Expense Account. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE MAYOR, OR HER DESIGNEE, TO IMPOSE A 9-1-1 CHARGE

08-O-2027 (32) An Ordinance by Councilmember Anne Fauver authorizing the Mayor, or her Designee, to impose a 9-1-1 charge in an amount not to exceed one dollars and fifty cents (\$1.50) per month on Voice Over Internet Protocol (VOIP) Connections within the City of Atlanta; and for other purposes. **(Held and Substituted, 10/15/08)**

HELD

Chairperson Shook stated that we will have a Public Hearing on November 24th.

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ACCEPT A DONATION

- 08-O-2034 (33) An Ordinance by Councilmember Cleta Winslow authorizing the Mayor or her Designee to accept a donation in the amount of \$_____ from the Atlanta Fire Foundation on behalf of the Atlanta Department of Fire and Rescue to fund the renovation of Fire Station #7; and for other purposes. **(Held, 10/15/08)**

HELD

TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION ("GDOT")

- 08-R-2048 (34) A Resolution by Finance/Executive Committee authorizing the Mayor to execute an Agreement with the Georgia Department of Transportation ("GDOT") to design and build the Atlanta Memorial Park/Tanyard Park Trail (GDOT PI #00000187) Project in conjunction with the Transportation Enhancement Activities Program administered by GDOT; also authorizing the Mayor to execute an Agreement with Path Foundation, Inc., ("PATH"), appointing Path to act as the City's Agent and Construction Manager for the Atlanta Memorial Park/Tanyard Park Trail Project in an amount not to exceed \$1,187,500.00 whereby all associated work will be charged to and paid from the following Fund, Department and Account Number: 3138 (2008 Quality of Life Bond Fund) 130308 (DPW Transportation Design) 4270000 (Traffic Engineering) and PTAE0 Funding Sources: 13102550/102/ 313821776/5414002/COA (\$250,000.00) & 3502 (General Government Capital Fund) 130308 (DPW Transportation Design) 4270000 (Traffic Engineering) and PTAE0 Funding Sources: 13210350/101/2501XXXXX/ 51**** & 52***** & 53***** & 55*****/COA (\$937,500.00); and for other purposes. **(Held, 10/29/08)**

FAVORABLE

Mr. Franklin stated that this is for the Path Foundation. Councilmember Muller offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO CLASSIC DESIGN SERVICES

- 08-R-2083 (35) A **Substitute** Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Classic Design Services in an amount not to exceed nineteen thousand one hundred twenty nine dollars and thirty-six cents (\$19,129.36) for an overpayment of Business License Fees; all funds shall be Charged To and Paid From Fund, Department Organization and Account 1001 (General Fund), 200307 (NDP Unallocated City Wide Employee Expenses), 5730012 (Refunds); and for other purposes. **(Held, 10/29/08); (Finance/Executive Committee Substitute..., 11/12/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute. Councilmember Muller offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO RUBICON GROUP, INC.

08-R-2084 (36) A **Substitute** Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Rubicon Group Inc., in an amount not to exceed eleven thousand four hundred dollars and four cents (\$11,400.04) for an overpayment of Business License Fees; all funds shall be Charged To and Paid From Fund, Department Organization and Account 1001 (General Fund), 200307 (NDP Unallocated City Wide Employee Expenses), 5730012 (Refunds); and for other purposes. **(Held, 10/29/08); (Finance/Executive Committee Substitute..., 11/12/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

TO URGE THE 2009 GEORGIA GENERAL ASSEMBLY TO SUPPORT THE CITY OF ATLANTA'S 2009 LEGISLATIVE PACKAGE

08-R-2085 (37) A Resolution by Finance/Executive Committee urging the 2009 Georgia General Assembly to support the City of Atlanta's 2009 Legislative Package; and for other purposes. **(Held, 10/29/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute. Ms. Middleton stated that the Substitute is to bring the paper forward. Chairperson Shook asked what is different? Ms. Middleton responded that Gambling was introduced last year and they carried it forward. Councilmember Maddox asked if there is a belief that legislation is not needed. Ms. Middleton responded that the legislation that created lottery allows for slot machines under the existing law. We are looking into that. Chairperson Shook stated that Councilmembers seem to think that we need to do Resolution of support or opposition for things happening at the State Capitol. Please take time to attach the legislation and put the bullet points together. Councilmember Maddox stated that is a good thing to do. There are times where time is of an essence. He suggests sending a memo to everyone. Chairperson Shook asked when will they resume their activities. Ms. Middleton responded January 12, 2009. Councilmember Hall asked about the Community Court authorization being included. Ms. Middleton responded yes and we have carried it forward. Councilmember Maddox offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A CONTRACTUAL AGREEMENT WITH IRON MOUNTAIN

08-R-2108 (38) A Resolution by Finance/Executive Committee authorizing the Mayor or her Designee to enter into a Contractual Agreement with Iron Mountain to provide for the removal of all records from City Hall East and to store the City's Records in accordance with the various approved retention schedules; said expense associated with this Contract shall be Charged To 1001 (General Fund) 200313 (NDP Records Management) 5212001 (Consultant/Professional Services) 1580000; and for other purposes. **(Held, 10/29/08)**

HELD

TO AMEND CHAPTER 114 ARTICLE IV DIVISION 12 SECTION 14-379 OF THE CODE OF ORDINANCE OF THE CITY OF ATLANTA

08-O-2135 (39) An Ordinance by Councilmembers H. Lamar Willis and C.T. Martin to amend Chapter 114 Article IV Division 12 Section 14-379 of the Code of Ordinance of the City of Atlanta so as to provide for Written Justification and Hearing for any Reduction In Force by Executive or Legislative Actions involving Public Safety and Court Employees; to waive conflicting Ordinances; and for other purposes. **(Held, 10/29/08)**

HELD AND SUBSTITUTED

Chairperson Shook stated that we have a Substitute. We may wish to refer to this to the Public Safety Committee. He wants to hear from the Law Department first.

Mr. Bob Godfrey: Senior Assistant City Attorney addressed the Committee by stating that this Ordinance is set forth in the Charter. If Council continues to cut into the Executive powers it should be done by Charter Amendment. Each time you do an Ordinance like this you cut away at Charter powers. He then read the language in the Code. Chairperson Shook stated that it is appropriate for the paper to be here. We will continue to Hold it and give the author an opportunity to dialogue. We can find another way to carry out with the author. Councilmember Maddox asked for a written analysis from the Law Department. Chairperson Shook asked Senior Assistant City Attorney Godfrey to give the written information to Councilmember Willis and a copy to the rest of the Committee.

TO REQUEST THE FULTON COUNTY TAX APPRAISER TO UPDATE THE PROPERTY ASSESSMENTS IN 2009

08-R-2141 (40) An **Amended** Resolution by Councilmembers Joyce Sheperd, Ivory Lee Young, Jr., Natalyn Archibong and Anne Fauver to request the Fulton County Tax Appraiser to update the Property Assessments in 2009 to reflect the Fair Market Value at that time; and for other purposes. **(Held, 10/29/08); (Finance/Executive Committee Amendment replaces the words “have overpaid” to “on track and overpaid in 2009” and in the 11th Whereas replaces the words “will be” with “is”, 11/12/08)**

FAVORABLE AS AMENDED

Chairperson Shook stated that there is a proposed Amendment in the 4th Whereas replace the words “have overpaid” to “on track and overpaid in 2009”. In the 11th Whereas replaces the words “will be” with “is”.

Mr. David Pendeven: addressed the Committee by stating that he is here to speak in support of this paper. Councilmember Maddox offered a motion to **Approve as Amended, 4 Yeas.**

ITEMS NOT ON AGENDA

Senator Vincent Fort: addressed the Committee by stating that he is here with Ms. Josephine Reese and Ms. Laromia Carson, who are citizens of Atlanta. They have become victims of predatory lending and Wachovia Bank put them in this situation. They went into the banks to do business and when they came out they were placed into these bad loans. The lawyers contacted Wachovia and they are suing on Ms. Reese's behalf. They told Ms. Kim Brown, lawyer of Legal Aide to drop dead. He comes here because Wells Fargo is getting \$25 billion dollars from the bailout money. For Wachovia to put these people in these kinds of loans is ridiculous. Ms. Reese bought her home in 1982 and she is disabled. She only gets \$1300 a month. Wachovia made

two loans that she cannot repay. She went to the Cascade bank branch. The first loan is an \$800 per month payment and the next loan was a \$12,900 home equity line of credit. Almost half of her monthly income is going to Wachovia. Ms. Carson is 67 and lives in East Atlanta and she went to the branch on Glenwood. She has lived in her home since 1971. She has custody of her great granddaughter. Her payment is \$900.00 out of \$1,160. She has \$200.00 to buy medicine and food. For Wachovia to respond in this fashion is scandalous. He is asking the Mayor and Council to call them in and ask them why they would do this to good Atlanta citizens. He also asked that City money be taken out of their Accounts. Chairperson Shook stated that he does not know if we can get involved in something that is already in litigation. Senator Fort stated that he hopes that Council will say that we will not allow this to go on. They need to do business in the right way. He hopes that you use whatever authority you have. Ms. Carson is in the 5th District and Ms. Reese is in the 10th District. Councilmember Archibong clarified that part of that District is in Unincorporated DeKalb County and she hopes that this message be continued in DeKalb County. Senator Fort stated that we have a morale responsibility.

TO ADD FUNDS COLLECTED FROM DONATION METERS FOR HOMELESS INITIATIVES

08-O-2271 (1) An Ordinance by Finance/Executive Committee to amend the FY 2009 Budget by adding Funds collected from Donation Meters for Homeless Initiatives to Anticipations and Appropriations; and for other purposes.

FAVORABLE ON FIRST READ

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 5:10 p.m.

Respectfully submitted,

Jim Glass, CFO

Charlene Parker
Recording Secretary

“The Department of Finance... because customer service is important to us.”